

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 7, 8, 11, and 14 through 17 are pending, with Claims 1 and 11 being independent. Claims 4, 5, 12, and 13 have been cancelled without prejudice. Claims 1, 7, 11, and 14 have been amended. Claims 15 through 17 have been added.

Claims 1, 4, 5, 7, 8, and 11 through 14 again were rejected under 35 U.S.C. § 103 over U.S. Patent No. 6,163,316 (Killian), 6,208,335 B1 (Gordon, et al.), and 6,898,762 B2 (Ellis, et al.), in view of newly-cited US 7,272,628 B1 (Pravetz, et al.). All rejections are respectfully traversed.

Claims 1 and 11 recite, *inter alia*, after receiving the GUI data (included in a broadcasting wave), comparing as to whether the keyword information relating to the GUI data corresponds to the user's preference information, displaying a selecting screen for causing a user to select whether or not to install the corresponding GUI data if the keyword information corresponds, and executing installation if selected.

However, Applicants respectfully submit that none of Killian, Gordon, et al., Ellis, et al., and Pravetz, et al., even in the proposed combinations, assuming, *arguendo*, that the documents could be combined, discloses or suggests at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 11.

Applicants respectfully submit that Killian shows, e.g., that Java-based EPG 70 (which may be downloaded over link 14, which can be a satellite link) obtains schedule information (not GUI data) from a network. But, as acknowledged in the Official Action, Applicants respectfully submit that Killian is deficient at least as regards the above-discussed claimed features.

Applicants respectfully submit that Gordon, et al. shows, e.g., an applet including graphics and an instruction, but Gordon, et al. is silent as to deriving GUI data from a broadcasting wave. Also, Applicants submit that Gordon, et al.'s navigation control instruction 506 bears no relationship at all to the claimed selecting screen — the navigation control instruction 506 is merely a command included in the applet 500 (e.g., Fig. 5).

Applicants respectfully submit that Ellis, et al. shows, e.g., storing in a server a preference profile of a user to attain distribution of an advertisement fitting the user, with providing the user with an opportunity to define the preference profile (see, e.g., Fig. 21), and discloses, e.g., that the program guide may remind a user with reminder lists (e.g., Fig. 18, as provided by program guide server 25 to a program guide client). However, Applicants respectfully submit that the Fig. 21 preference profile and Fig. 18 reminder lists have nothing at all to do with the claimed selecting screen — Ellis, et al.'s preference profile is merely used to select, on the server side, information and program to be distributed from the server to a user's terminal, and has nothing to do with the claimed selecting screen.

The Official Action relies upon Pravetz, et al. as showing prompting whether or not to install GUI data. Applicants respectfully traverse the foregoing. Applicants respectfully submit that Pravetz, et al. shows, e.g., displaying a dialog 370 (Fig. 5A) to prompt a user to select whether to download a license from a server 8 (e.g., col. 5, lines 55-67), which Applicants respectfully submit fails to provide either a description or a suggestion of at least the above-discussed claimed features as recited, *inter alia*, in Claims 1 and 11.

Applicants further respectfully submit that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features. By means of such features, Applicants respectfully submit

that it is possible, e.g., to select whether received GUI data corresponds to the user's preference, and to display a selecting screen as claimed.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicants
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

DSG\jjr

FCHS_WS 2187801v1